



DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

DEVICE FOR EXTRACTING A SUBSTANCE
FOR THE PREPARATION OF A DRINK

and for which a patent application was filed on February 28, 2002

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
99117107.5	Europe	31 August 1999	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED
PCT/EP00/08189	22 August 2000		X	

* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
2	KOLLEP		Alexandre	
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
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1	ADDRESS	STREET	CITY	STATE OR COUNTRY ZIP CODE
		Chemin des Chênes 25	Lutry	Switzerland 1095
		SIGNATURE OF INVENTOR 201		DATE
				May 10, 2002
				<i>Kollep</i>
	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
2	FISCHER		Daniel	
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
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2	ADDRESS	STREET	CITY	STATE OR COUNTRY ZIP CODE
		Grundstrasse 15	Romanshorn	Switzerland 8590
		SIGNATURE OF INVENTOR 202		DATE
				May 6, 2002
				<i>D. Fischer</i>
	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
2	STINGER		Mischa	
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
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3	ADDRESS	STREET	CITY	STATE OR COUNTRY ZIP CODE
		Hagenbuchstrasse 30c	St-Gallen	Switzerland 9000
		SIGNATURE OF INVENTOR 203		DATE
				May 9, 2002
				<i>M. Stinger</i>
	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
2				
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
4	Post Office	STREET	CITY	STATE OR COUNTRY ZIP CODE
	ADDRESS	SIGNATURE OF INVENTOR 204		DATE
	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
2				
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
5	Post Office	STREET	CITY	STATE OR COUNTRY ZIP CODE
	ADDRESS	SIGNATURE OF INVENTOR 205		DATE



#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: A. KOLLEP et al.

Application No.:

Group Art Unit:

Filing Date: February 28, 2002

Examiner:

For: DEVICE FOR EXTRACTING A
SUBSTANCE FOR THE PREPARATION OF
A DRINK

Attorney Docket No.: 8265-6619

POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Allan A. Fanucci (Reg. No. 30,256) of WINSTON & STRAWN (Customer No. 28765) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence for this application to Customer No. 28765 to the attention of Allan A. Fanucci (telephone 212-294-3111, facsimile 212-294-4700).

An assignment of the entire interest in the above-identified subject application is submitted herewith for recording and a copy is attached. The undersigned has reviewed this assignment and, to the best of his knowledge, title is in the assignee seeking to take action in this application and that he is empowered to act on its behalf.

ASSIGNEE: NESTEC S.A.
Signature: *Claude-Alain WAVRE*
Date of Signature: 08.03.02
Typed Name: Claude-Alain WAVRE
Position/Title: Authorised Signatory
Address: Avenue Nestlé 55
1800 Vevey
Switzerland

ASSIGNMENT

WHEREAS, We,

Alexandre KOLLEP, a citizen of Switzerland residing at Chemin des Chênes 25, Lutry 1095, Switzerland;

Daniel FISCHER, a citizen of Switzerland residing at Grundstrasse 15, Romanshorn 8590, Switzerland; and

Mischa STIEGER, a citizen of Switzerland residing at Hagenbuchstrasse 30c, St.-Gallen 9000, Switzerland

ASSIGNORS, are the inventors of the invention in **DEVICE FOR EXTRACTING A SUBSTANCE FOR THE PREPARATION OF A DRINK**, for which we have executed an application for a Patent of the United States

- which is executed on even date herewith
- which is identified by Winston & Strawn Docket No. 88255-6619
- which was filed on February 28, 2002

WHEREAS, NESTEC S.A., a Swiss corporate body having a place of business at Avenue Nestlé 55, 1800 Vevey, Switzerland, ASSIGNEE, is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith;

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention.

IN WITNESS WHEREOF, the undersigned inventors have affixed their signatures.

10.5.2002

Date

Alexandre KOLLEP

Alexandre KOLLEP

On this 10 day of May, 2002, before me appeared Alexandre KOLLEP, to me known and known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

10.5.2002

Date

Frances J. Bluel

Witness

6.5.2002

Date

D. Fischer

Daniel FISCHER

On this 7.5. day of May, 2002, before me appeared Daniel FISCHER, to me known and known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

Date

Le Dislo

Witness

9-5-02
Date

Mischa STIEGER

On this 9 day of May, 2002, before me appeared
Mischa STIEGER, to me known and known to me to be the person of that name, who signed
the foregoing instrument, and acknowledged the same to be his/her free act and deed.

9.5.2002
Date

Hansel Pohl
Witness